

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

OLIVER UDEMBA,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO: 05CV 11161 RGS
)	
CUMBERLAND FARMS, INC.)	
AND EMILE C. TAYEH,)	
)	
Defendant.)	

**DEFENDANTS' MOTION FOR LEAVE TO FILE JOINT BRIEF
OVER 20 PAGES IN LENGTH IN SUPPORT
OF THEIR MOTION FOR SUMMARY JUDGMENT**

Pursuant to LR 7.1(b)(4), Defendants Cumberland Farms, Inc. ("the Company" or "CFI") and Emile Tayeh ("Tayeh") request leave to file a brief over 20 pages in length in support of their joint motion for summary judgment. In support of this motion, the Defendants state:

1. The Complaint in this case is 14 pages long and contains 80 numbered paragraphs alleging claims which span a period of 15 years.
2. Given the numerous factual allegations in the Complaint, the Defendants estimate that their brief will be 30 pages in length.
3. While each Defendant could file a separate brief 20 pages in length, filing a joint brief will avoid duplication and save time and effort by the Court and opposing counsel.
4. Plaintiff's counsel, Aderonke Lipede, Esq., has advised the undersigned via e-mail that Plaintiff consents to this Motion.

Wherefore, the Defendants respectfully request that this Motion be granted and that they be given leave to file a brief more than 20 pages in length, in support of their joint motion for summary judgment.

DATED at Portland, Maine this 30th day of May, 2006.

CUMBERLAND FARMS, INC. and
EMILE C. TAYEH

By their attorneys,

MOON, MOSS & SHAPIRO, P.A.
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P. O. Box 7250
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(207) 775-6001

/s/ Philip J. Moss

Philip J. Moss BBO# 358020

CERTIFICATE OF SERVICE

I, Philip J. Moss, attorney for Cumberland Farms, Inc. and Emile Tayeh, hereby certify that a paper copy of Defendants' Motion for Leave to File Joint Brief Over 20 Pages in Length in Support of Their Motion for Summary Judgment, electronically filed with the Clerk of Court using the ECF system, will be sent this date by first-class U.S. mail, postage prepaid to the following:

Aderonke O. Lipede, Esq.
434 Massachusetts Avenue, Suite 401
Boston, MA 02118
(BBO # 567431)

Dated: May 30, 2006

/s/ Philip J. Moss

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